

**IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF WEST VIRGINIA
AT BECKLEY**

MATTHEW GIBSON,

Plaintiff,

vs.

Civil Action No. 5:21-cv-00181
Honorable Frank W. Volk

LOUISE E. GOLDSTON, individually,
COUNTY COMMISSION OF RALEIGH
COUNTY, a political subdivision,
JEFF MCPEAKE, individually,
BRIAN WHITE, individually,
BOBBY STUMP, individually,

Defendant.

**PLAINTIFF'S RESPONSE TO DEFENDANT LOUISE E. GOLDSTON'S MOTION IN
LIMINE TO PRECLUDE THE INTRODUCTION OF THE LETTER FROM THE HON.
GLEN R. STOTLER, ADMONISHMENT OF THE HON. ERIC SHUCK, AND
TESTIMONY OF GAIL CAMP RAY**

COMES NOW Plaintiff, Matthew Gibson, by and through counsel, John H. Bryan, and for his response to DEFENDANT LOUISE E. GOLDSTON'S MOTION IN LIMINE TO PRECLUDE THE INTRODUCTION OF THE LETTER FROM THE HON, GLEN R. STOTLER, ADMONISHMENT OF THE HON. ERIC SHUCK, AND TESTIMONY OF GAIL CAMP RAY, states the following:

1. That, Plaintiff, at this time does not intend to call Gail Camp Ray as a witness in the trial of this matter. It may however, become necessary to call Ms. Ray as a rebuttal witnesses depending upon how trial testimony develops, and Plaintiff reserves the right to do so. Therefore, Defendant Goldston's motion to preclude Gail Camp Ray's testimony would be more appropriately addressed at that point.

2. That, Plaintiff, at this time does not intend call the Hon. Eric Shuck as a witness in the trial of this matter, nor does Plaintiff, at this time, intend to offer the Admonishment of the Hon. Eric Shuck into evidence during his case in chief. It may however become necessary to do so for impeachment or rebuttal purposes depending upon how trial testimony develops, and Plaintiff reserves the right to do so. Therefore, Defendant Goldston's motion to preclude this evidence would be more appropriately addressed at that point.

3. That, likewise, Plaintiff, at this time, does not intend to offer the Stotler letter into evidence during his case in chief. Depending upon how testimony develops at trial, it may become necessary for Plaintiff to do so for impeachment or rebuttal purposes, and Plaintiff reserves the right to do so. Therefore, Defendant Goldston's motion to preclude this evidence would be more appropriately addressed at that point.

MATTHEW GIBSON,
By Counsel

/s/ John H. Bryan
John H. Bryan, State Bar ID # 10259
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For Plaintiff

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JEFF MCPEAKE, individually,
BRIAN WHITE, individually,
BOBBY STUMP, individually,
KYLE LUSK, individually,

Defendant.

CERTIFICATE OF SERVICE

I, John H. Bryan, do hereby certify that I have delivered a true copy of the foregoing PLAINTIFF'S RESPONSE TO DEFENDANT LOUISE E. GOLDSTON'S MOTION IN LIMINE TO PRECLUDE THE INTRODUCTION OF THE LETTER FROM THE HON. GLEN R. STOTLER, ADMONISHMENT OF THE HON. ERIC SHUCK, AND TESTIMONY OF GAIL CAMP RAY, has been served upon counsel of record by using the CM/ECF System, this the 13th day of June, 2022, and addressed as follows:

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/s/ John H. Bryan

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